

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 28214/wi	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/AT2004/000365	International filing date (<i>day/month/year</i>) 22.10.2004	Priority date (<i>day/month/year</i>) 07.11.2003
International Patent Classification (IPC) or national classification and IPC B60D1/06		
Applicant SCHARMÜLLER, Josef		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>5</u> sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 4, 5 as originally filed/furnished
- pages* 1-3 received by this Authority on 20.06.2005 with letter of 15.06.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 11-13 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-10 received by this Authority on 20.06.2005 with letter of 15.06.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/6-6/6 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-10</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-10</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-10</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	Reference is made to the following document:		
	D1: US-A-2 326 466 (KITTERMAN CARL C) 10 August 1943 (1943-08-10)		
	1- Differences in relation to the available prior art:		
	<u>1-1</u>	<u>Claim 1:</u>	
	D1 (fig. 2) discloses a heavy-load trailer coupling ring with an open-ended coupling ball socket (11) for receiving a diametrically opposed coupling ball (3), a coupling arm (part of the plate on which the pin 17 is mounted) and a coupling flange (8).		
	A holding-down clamp (18-19-20) co-operates with the coupling ball socket.		
	The holding-down clamp is not a semicircular bracket.		

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>The centre axis of the coupling ball socket in D1 (see fig. 3) <u>cannot</u> be regarded as the axis which intersects the ball socket between its front inner end point and the highest point of the hollow (16), since the hollow (16) (D1, column 2, lines 34-39) is considered part of the coupling ball socket. The axis together with the longitudinal axis thus encloses an angle of 90°.</p> <p>Dependent claims 2-10 concern further embodiments of the heavy-load trailer coupling ring according to claim 1.</p>

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1- Claim 1:

There is no technical relationship in the sense of PCT Rule 13.2 between the two possible embodiments in claim 1 involving one or more of the same or corresponding special technical features.

2- Claim 10:

Claim 10 attempts to define the subject matter in terms of the features of an arrangement (ball 7) which is not part of the device.